

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

1:06cv2

THEODORE R. ANDERSON,

Plaintiff,

Vs.

**JEFFREY R. DOBSON; GERALD W.
SODERQUIST; ROBERT W.
MIDDLETON; and ARTHUR D.
ACKERMAN,**

**Defendants/Third-Party
Plaintiffs,**

Vs.

**HALEAKALA RESEARCH AND
DEVELOPMENT, INC.,**

Third-Party Defendants.

ORDER

THIS MATTER is before the court on the following pending motions:

- (1) plaintiff's Motion for Partial Summary Judgment (#70);
- (2) third-party defendant's Motion to Dismiss (#87);
- (3) plaintiff and third-party defendant's Motion for Summary Judgment (#88);
- (4) defendants' Second Motion for Extension of Scheduling Deadlines Concerning the Deposition of Weinstein (#94);
- (5) plaintiff and third-party defendant's Motion to Strike Video Deposition

(#97); and

(6) joint Motion to Set Trial (#102).

Absent the filing of additional motions, it appears that the last brief is due to be filed not later than February 4, 2007, which would be plaintiff's and third-party defendant's reply to defendant's and third-party plaintiff's yet-to-be filed response to plaintiff's and third-party defendant's Motion to Strike Video Deposition.¹

With the closing of briefing in this matter, oral arguments on all pending motions will be calendared for February 22, 2007, beginning at 9 a.m.

ORDER

IT IS, THEREFORE, ORDERED that the following motions are calendared for oral arguments on February 22, 2007, beginning at 9:30 a.m., at Asheville in Courtroom No. 2:

- (1) plaintiff's Motion for Partial Summary Judgment (#70);
- (2) third-party defendant's Motion to Dismiss (#87);
- (3) plaintiff and third-party defendant's Motion for Summary Judgment (#88);
- (4) defendants' Second Motion for Extension of Scheduling Deadlines Concerning the Deposition of Weinstein (#94);

¹ In addition, third-party defendant's reply to defendant's and third-party plaintiff's response to third-party defendant's Motion to Dismiss is due to be filed not later than January 29, 2007.

- (5) plaintiff and third-party defendant's Motion to Strike Video Deposition (#97); and
- (6) joint Motion to Set Trial (#102).

Signed: January 19, 2007

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

